

REMARKS

The drawings were objected to under 37 CFR 1.83(a) as allegedly failing to show every feature specified in the claims.

Applicant submits herewith two replacement sheets containing Figures 1 and 2. Each replacement sheet labels the additional thread (10) which illustrates an example of a locking system as claimed in the present invention. This revision does not introduce new subject matter, but instead is effected to more clearly define an element of the present invention.

The Specification at paragraph [0019] has also been amended to provide details of the locking system which were illustrated in the original drawings as filed. Accordingly, no new matter is introduced by this amendment.

The rejection of claims 3, 4, 15, and 16 under 35 U.S.C. 112, second paragraph, is obviated by appropriate amendment.

The Applicant has amended claims 3, 15 and 16 and cancelled claim 4. The Applicant has amended claim 3 to remove the subject matter which was identified as redundant with claim 1 by the Examiner. Claim 15 has also been amended to clarify that the receiving member can further comprise a locking system which may be used to prevent potential tampering. Details of the locking system are described in paragraph [0019] of the specification, as amended. Furthermore, claim 16 has been amended to clarify that one or more of the receiving members can have attached thereto one or more of the containers.

In view of Applicant's amendment, withdrawal of the rejection under 35 U.S.C. 112, second paragraph, is respectfully requested.

Claims 1-5 and 8-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chester et al. (US 5,235,929).

Applicant respectfully submits that the Chester et al. reference does not disclose or suggest the invention of the claims.

A main advantage of the present invention over the cited prior art is that the receiving members provided on the planar frame portion allow for the hollow containers to be screwed onto frame portion through the native threads provided on the bottle, which are normally used to attach the bottle cap. This arrangement allows for individual bottles that are damaged or worn to be easily and economically replaced, without having to replace the whole of the frame. Chester et al., on the hand, attaches the floatation means or containers to the frame using adhesive (ref 37, column 4, lines 16 to 23). Moreover, the sides of adjacent floatation means or containers are adhered to one another using adhesive to prevent lateral movement thereof. It would be obvious to those skilled in the art that the method taught by Chester et al., for attaching the floatation means or containers to the frame and to one another, does not allow for replacement of individual bottles that become damaged or worn. Instead, the whole of the docking system taught by Chester et al., will have to be replaced when an individual floatation means or container is in need of replacing.

The Examiner alleges in the Action that Chester et al., teaches of receiving members as shown by reference numeral 36 in Figure 8. It is with due respect submitted that the receiving members taught and claimed in the present application are completely different, in terms of structure and function, from the caps (36) taught by Chester et al. According to column 6 (lines 7 to 26) of Chester et al., caps (36) are screwed onto the

end of the floatation means or containers and a hole (40) is drilled through the cap to provide a more limited opening to the floatation means or container. The combination of a hole (40) in the cap and an additional hole (52) in the neck of the bottle limits the rate at which ballast water enters and leaves the containers, "thus giving a greater ballast effect for a longer time to counter any tipping caused by unbalanced "live" loads on the dock module." It is clear from Figure 8 and the accompanying description in Chester et al., that in order for the caps to provide their proscribed function it is necessary that they are in contact with the water in which the dock is positioned to float thereon. Conversely, the receiving members described and claimed in the present application are attached to the frame portion and receive the threaded ends of the containers, in order for the sealed ends of the containers to contact the water in which the dock is to float thereon.

The Examiner further alleges that Chester et al., discloses a plurality of supports extending in an outward radial direction and specifically refers to the straps shown by reference numeral 32 in Figure 4. The Examiner's attention is respectfully directed to column 5 (lines 7 to 22) of Chester et al., wherein description of the straps is provided. The function of the straps is to provide tension to the overall docking structure by holding the ends of the floatation means which are not adhered to the deck. According to the Examiner, the straps shown in Figure 4 extend in an outward radial direction from the caps or receiving members. However, the accompanying description of Figure 4 in column 5 (lines 11 and 12) describes the straps to be oriented "quasi-isotropic ally". Moreover, the straps do not extend from the receiving members or caps, instead are "disposed at the bottom of the core structure and are attached, preferably by adhesive 37, to wall(s) 22 (emphasis provided), and the bottom of any cell 30 which is passed."

Conversely, the supports described and claimed in the present invention extend outwardly in a radial direction from each receiving member and are attached to both the receiving member and the frame portion. The function of the supports of the present invention is to provide stability and to reinforce the attachment of receiving members to the frame portion.

In view of the deficiencies in the art, the claims are not *prima facie* obvious, and, accordingly, withdrawal of the rejections under 35 U.S.C. 103(a) with respect to present claims 1-5 and 8-19 is respectfully requested.

Claims 6 and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chester et al. (US 5,235,929) in view of Morris (US 5,743,205).

For the reasons stated above, claims 1-5 and 8-19 are not *prima facie* obvious over Chester et al. It follows, therefore, that claims 6 and 7, which depend from claim 1, also cannot be obvious over Chester et al. for the same reasons. The additional teaching of Morris does not cure the basic deficiencies of the primary reference because Morris does not teach or suggest a frame having the limitations set forth in claim 1.

In view of the deficiencies in the art, the claims are not *prima facie* obvious, and, accordingly, withdrawal of the rejection under 35 U.S.C. 103(a) with respect to claims 6 and 7 is respectfully requested.

Applicant submits that the present application is now in condition for allowance and early notice of such action is earnestly solicited. If any final points remain that can be clarified by telephone, Examiner Sotelo is respectfully encouraged to contact Applicant's attorney at the number indicated below.

Applicant hereby petitions the Commissioner for Patents to extend the time for reply to the notice dated August 5, 2005 for one (1) month from November 5, 2005, to December 5, 2005. A duly completed credit card authorization form is attached to effect payment of the extension fee.

Respectfully submitted

A handwritten signature in cursive script, appearing to read "Malcolm J. MacDonald".

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AMENDMENTS TO THE DRAWINGS

Please replace Figures 1 and 2 currently on file with “replacement sheets” for Figs. 1 and 2 submitted herewith.